

HOUSE BILL 247

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By: **Delegates Rosenberg and Kaiser**

Introduced and read first time: January 25, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Referendum Fairness Act**

3 FOR the purpose of requiring a ballot issue committee that receives a contribution of a
4 certain amount during a certain period before an election to report the
5 contribution to the State Board of Elections within a certain period of time;
6 requiring a report of a contribution under this Act to include certain
7 information; requiring the State Board to develop an Internet site for the
8 purpose of receiving reports of contributions under this Act and making the
9 reports available to the public; and generally relating to campaign finance
10 disclosure for a public referendum.

11 BY repealing and reenacting, without amendments,
12 Article – Election Law
13 Section 1–101(f), (i), (o), (gg), and (rr)
14 Annotated Code of Maryland
15 (2003 Volume and 2009 Supplement)

16 BY adding to
17 Article – Election Law
18 Section 13–309.1
19 Annotated Code of Maryland
20 (2003 Volume and 2009 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Election Law**

24 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (f) "Ballot issue committee" means a political committee that is formed to
2 promote the success or defeat of a question to be submitted to a vote at an election.

3 (i) "Campaign finance report" means a report, statement, affidavit, or other
4 document that is:

5 (1) authorized or required under this article;

6 (2) related to the campaign finance activities of a campaign finance
7 entity or to expenses associated with a legislative newsletter; and

8 (3) filed or submitted on a form prescribed by the State Board under
9 this article.

10 (o) (1) "Contribution" means the gift or transfer, or promise of gift or
11 transfer, of money or other thing of value to a campaign finance entity to promote or
12 assist in the promotion of the success or defeat of a candidate, political party, or
13 question.

14 (2) "Contribution" includes proceeds from the sale of tickets to a
15 campaign fund-raising event.

16 (gg) "Political committee" means a combination of two or more individuals
17 that assists or attempts to assist in promoting the success or defeat of a candidate,
18 political party, or question submitted to a vote at any election.

19 (rr) "State Board" means the State Board of Elections.

20 **13-309.1.**

21 (A) A BALLOT ISSUE COMMITTEE THAT RECEIVES A CONTRIBUTION OF
22 \$5,000 OR MORE DURING THE PERIOD SPECIFIED IN SUBSECTION (B) OF THIS
23 SECTION SHALL REPORT THE CONTRIBUTION TO THE STATE BOARD WITHIN 24
24 HOURS AFTER RECEIPT OF THE CONTRIBUTION.

25 (B) A BALLOT ISSUE COMMITTEE SHALL REPORT CONTRIBUTIONS
26 RECEIVED DURING THE PERIOD FROM THE CLOSING DATE OF THE LAST
27 CAMPAIGN FINANCE REPORT THAT IS DUE BEFORE A GENERAL ELECTION
28 THROUGH THE DAY OF THE GENERAL ELECTION.

29 (C) A REPORT OF A CONTRIBUTION UNDER THIS SECTION SHALL
30 INCLUDE THE AMOUNT OF THE CONTRIBUTION AND THE IDENTITY OF THE
31 CONTRIBUTOR.

32 (D) THE STATE BOARD SHALL DEVELOP AN INTERNET SITE FOR THE
33 PURPOSE OF:

1 **(1) RECEIVING REPORTS OF CONTRIBUTIONS UNDER THIS**
2 **SECTION; AND**

3 **(2) MAKING THE INFORMATION CONTAINED IN THE REPORTS**
4 **AVAILABLE TO THE PUBLIC IN A TIMELY MANNER.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 June 1, 2010.